

REMARKS

Claims 1, 2, 28, 39 and 45 is proposed to be amended to recite that the claimed method is “machine-implemented.” Claim 27 is proposed to be amended to recite that the claimed machine-readable medium is for use in “simulating the placement of unplaced particles.” Claim 35 is proposed to be amended to improve antecedent basis in referring to a prior claim.

The specification has been amended at paragraphs [0014] through [0016] to delete extraneous phraseology.

Formal replacement drawings are submitted herewith for approval and entry by the Examiner.

No new matter has been added.

The Final Office Action mailed January 4, 2005, has been received and reviewed. Claims 1 through 50 are currently pending in the application. Claims 1 through 25, 27 through 35, and 38 through 50 stand rejected. Claims 26, 36, and 37 are allowed. Applicants propose to amend claims 1, 2, 35, 39 and 45, and respectfully request reconsideration of the application as proposed to be amended herein.

35 U.S.C. § 112 Claim Rejections

Claims 1 through 25, 28 through 35, and 38 through 50 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Without acquiescing in the Examiner’s position and solely to advance prosecution of this application to issuance, Applicants have amended claims 1, 2, 28, 39 and 45 to recite that the methods as claimed therein are “machine-implemented,” thereby overcoming the rejection.

Claim 27 stands rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants have amended claim 27 to recite that the claimed machine-readable medium is for use in “simulating the placement of unplaced particles.”

Applicants sincerely regret the inadvertent error in previously failing to amend claim 27 in a manner similar to that in which other claims were amended.

35 U.S.C. § 101 Rejection

Claims 1 through 25, 28 through 35, and 38 through 50 stand rejected under 35 U.S.C. § 101 as “reciting a process that is not directed to the technological arts.” Applicants have amended claims 1, 2, 28, 39 and 45 to overcome the rejection.

Allowable Subject Matter

Claims 26, 36, and 37 are allowed, which Applicants note with appreciation.

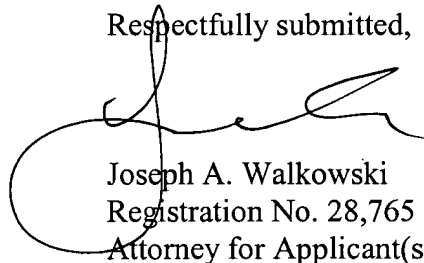
ENTRY OF AMENDMENTS

The proposed amendments to the specification and claims 1, 2, 28, 39 and 45 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments to the claims do not raise new issues or require a further search, specifically address issues raised by the Examiner and were implicitly suggested by the Examiner. Finally, if the Examiner determines that the amendments do not place the application in condition for allowance, entry is respectfully requested upon filing of a Notice of Appeal herein.

CONCLUSION

Claims 1 through 50 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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Document in ProLaw

IN THE DRAWINGS:

The attached four (4) sheets of formal drawings replace the previous informal drawing sheets submitted for these figures in the application as filed. Approval and entry thereof are respectfully solicited.